

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office DEC 28 1993 NEW PRIORITY DATE: JUN 11 2007  
 Returned to applicant for correction FEB 22 1994  
 Corrected application filed APR 12 1994 Map filed APR 12 1994 under 59641

The applicant James R. Buell, VMD  
P.O. Box 6525 of Incline Village  
Street and No. or P.O. Box No. City or Town  
Nevada 89450 hereby make S. application for permission to change the  
State and Zip Code No.  
place of use and manner of use  
Point of diversion, manner of use, and/or place of use  
 of water heretofore appropriated under Permit 21332 Certificate 8034  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.

1. The source of water is underground (Well No. E-2).  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 2.7 c.f.s.  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for irrigation purposes  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for irrigation purposes  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point within the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 26, T.45N., R.33E., M.D.B. & M. or at a point from which the W $\frac{1}{4}$  corner of said Section 26 bears distance to a section corner. If on unsurveyed land, it should be stated.  
S. 2° 39' 00" W a distance of 1380.99 feet.  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing permitted point of diversion is located within \_\_\_\_\_  
If point of diversion is not changed, do not answer.
7. Proposed place of use See Exhibit "A" attached.  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use See Exhibit "A" attached.  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day
10. Use was permitted from April 1 to October 31 of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled well, pipelines & irrigation system.  
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.  
Well is complete; see well log filed under Permit 21332.
12. Estimated cost of works in excess of \$10,000
13. Estimated time required to construct works 3 years; well and irrigation system are complete, but additional pipeline needs to be installed.

14. Estimated time required to complete the application of water to beneficial use.....5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Desert-Mountain Surveying as agent  
By John H. Milton III, P.L.S., S.W.R.S.  
s/John H. Milton III  
146 West Second Street  
Winnemucca, NV 89445

Compared.....bc/bc jr/bk

Protested.....

**APPROVAL**  
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use and manner of use of the waters of an underground source as heretofore granted under Permit 21332, Certificate 8034 is issued subject to the terms and conditions imposed in said Permit 21332, Certificate 8034 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 59643, 59644, 59645, 59646, 59647, 59648, 59649, 59650, 59651, 59652, 59653, 59654, 59655 and 59656 shall not exceed 8,084.98 acre-feet annually. The maximum area irrigated under Permits 59643, 59644, 59645, 59646, 59647, 59648, 59649, 59650, 59651, 59652, 59653, 59654, 59655 and 59656 shall not exceed 2039.9 acres within the described place of use.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.7 cubic feet per second, but not to exceed 1145.78 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before.....February 28, 1996

Proof of completion of work shall be filed before.....March 28, 1996

Application of water to beneficial use shall be made on or before.....February 28, 1999

Proof of the application of water to beneficial use shall be filed on or before.....March 28, 1999

Map in support of proof of beneficial use shall be filed on or before.....March 28, 1999

**JUL 10 1995**

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 28th day of February,

A.D. 1995

*R. Michael Turnipseed*  
State Engineer

**CANCELLED MAY 15 2007** BECAUSE OF  
FAILURE OF APPLICANT TO COMPLY WITH THE  
PROVISIONS OF PERMIT  
Jan. Rescinded 11-25-2008  
STATE ENGINEER

Application 59645  
Exhibit "A"  
January 14, 1994

Item 7.

Within the S1/2 S1/2 & NE1/4 SE1/4 of Section 23; S1/2, S1/2 NW1/4 & SW1/4 NE1/4 of Section 24; all of Section 25; N1/2 & N1/2 S1/2 of Section 26; all within T.45N., R.33E., M.D.B. & M.; also the SW1/4 SW1/4 of Section 19; W1/2 & SE1/4 of Section 30; all within T.45N., R.34E., M.D.B. & M. Not to exceed 2053.10 acres.

Item 8.

39.9 acres in the SW1/4 SW1/4 of Section 23, T.45N., R.33E., M.D.B. & M.  
39.9 acres in the SE1/4 SW1/4 of Section 23, T.45N., R.33E., M.D.B. & M.  
39.9 acres in the NW1/4 NW1/4 of Section 26, T.45N., R.33E., M.D.B. & M.  
40.0 acres in the NE1/4 NW1/4 of Section 26, T.45N., R.33E., M.D.B. & M.  
35.9 acres in the SW1/4 NW1/4 of Section 26, T.45N., R.33E., M.D.B. & M.  
40.8 acres in the SE1/4 NW1/4 of Section 26, T.45N., R.33E., M.D.B. & M.  
28.8 acres in the NW1/4 SW1/4 of Section 26, T.45N., R.33E., M.D.B. & M.  
39.9 acres in the NE1/4 SW1/4 of Section 26, T.45N., R.33E., M.D.B. & M.

305.1 acres total